

Stark County Planning and Zoning Commission Minutes

**November 24, 2015
3:00 pm**

Chairman Russ Hoff called the meeting of the Stark County Planning and Zoning Commission to order. Chairman Hoff, Klayton Oltmanns, Duane Grundhauser, Kurt Froelich, Gene Jackson and Sue Larsen present and absent were Jay Elkin and Larry Messer. Also present were County Planner Steve Josephson, States Attorney Tom Henning and Nicole Roberts of the Auditor's office.

Sue Larsen moved to approve the minutes from the October 1, 2015 meeting. Klayton Oltmanns seconded. All voted Aye and motion carried.

Gaylon Baker is requesting a Minor Subdivision Plat of the Baker Subdivision containing approximately 28.27 acres.

Kurt Froelich moved to recommend to the Stark County Board of Commissioners the approval of the Minor Subdivision Plat of the Baker Subdivision generally located in the E ½ of Section 33, Township 138, Range 96. The proposed plat is approximately 28.27 acres in area following staff recommendations for Gaylon Baker.

Gene Jackson seconded. Roll call vote. All voted Aye and the motion carried.

STAFF RECOMMENDATION: Approval of the proposed final plat dated October 29, 2015.

Chairman Hoff opened the public hearing on a request from Casey Willis of White Butte Wind Project, LLC. The request is for a conditional use permit for a 198 foot meteorological tower on a parcel located in all of Section 29 and the E ½ of Section 30, Township 138, Range 98 containing approximately 960 acres. The area for the tower and pad will be approximately 2.5 acres.

Chairman Hoff asked for anyone to speak for or against the conditional use permit. Chairman Hoff closed the public hearing.

Gene Jackson moved to recommend to the Stark County Board of Commissioners the approval of the conditional use permit for a 198 foot meteorological tower on a parcel located in all of Section 29 and the E ½ of Section 30, Township 138, Range 98 containing approximately 960 acres following staff recommendations for Casey Willis of White Butte Wind Project, LLC.

Sue Larsen seconded. Roll call vote. All voted Aye and the motion carried.

STAFF RECOMMENDATION: Approval of the proposed conditional use based upon the following findings:

- 1. The location of the proposed project should not adversely impact the existing uses in the vicinity; and**
- 2. The conditional use shall to limited through the inclusion of the following conditions:**

- a. **Development shall be limited to a temporary meteorological tower (MET) to be used to monitor and collect wind data;**
- b. **No outdoor storage shall be allowed on site;**
- c. **The maximum height of the MET shall be limited to 198 feet;**
- d. **The MET shall be set back a minimum of 200 feet from subject parcel's property lines;**
- e. **The location of the MET shall be as generally shown on the drawings that were included in the application dated October 30, 2015;**
- f. **The duration of the conditional use permit shall be five and one-half years;**
- g. **The developer shall be responsible for all maintenance associated with the MET, the guys, and the driveways/roads accessing the tower;**
- h. **The developer shall provide a six-foot fence around the MET and baseplate;**
- i. **Unless required by the Federal Aviation Authority, the MET shall not be lighted;**
- j. **If necessary, the developer, prior to construction, shall submit a letter from the Federal Aviation Administration (FAA) stating that the MET does not exceed the maximum height permitted under FAA rules and does not require lighting;**
- k. **Any proposed change of use of the MET, increase in height or change of location shall require a hearing before the Stark County Planning and Zoning Board and approval as well as approval from the Stark County Commission; and**
- l. **Development of the MET shall be performed in accordance with all applicable County, State and Federal rules and regulations.**
- m. **The applicant shall report to the Zoning Administrator if the tower is no longer in use. The tower shall be removed, at the applicant's expense, within six (6) months of this notice and the site shall be restored by the applicant to its pre-existing condition.**

Chairman Hoff opened the public hearing on a request from Casey Willis of White Butte Wind Project, LLC. The request is for a conditional use permit for a 198 foot meteorological tower on a parcel located in all of Section 17 and the NE ¼ of Section 20, Township 137, Range 98 containing approximately 805 acres. The area for the tower and pad will be approximately 2.5 acres.

Chairman Hoff asked for anyone to speak for or against the conditional use permit. Chairman Hoff closed the public hearing.

Gene Jackson moved to recommend to the Stark County Board of Commissioners the approval of the conditional use permit following for a 198 foot meteorological tower on a parcel located in all of Section 17 and the NE ¼ of Section 20, Township 137, Range 98 containing approximately 805 acres following staff recommendations for Casey Willis of White Butte Wind Project, LLC.

Klayton Oltmanns seconded. Roll call vote. All voted Aye and the motion carried.

STAFF RECOMMENDATION: Approval of the proposed conditional use based upon the following findings:

3. **The location of the proposed project should not adversely impact the existing uses in the vicinity; and**
4. **The conditional use shall be limited through the inclusion of the following conditions:**

- n. **Development shall be limited to a temporary meteorological tower (MET) to be used to monitor and collect wind data;**
- o. **No outdoor storage shall be allowed on site;**
- p. **The maximum height of the MET shall be limited to 198 feet;**
- q. **The MET shall be set back a minimum of 200 feet from the subject parcel's property lines;**
- r. **The location of the MET shall be as generally shown on the drawings that were included in the application dated October 30, 2015;**
- s. **The duration of the conditional use permit shall be five and one-half years;**
- t. **The developer shall be responsible for all maintenance associated with the MET, the guys, and the driveways/roads accessing the tower;**
- u. **The developer shall provide a six-foot fence around the MET and baseplate;**
- v. **Unless required by the Federal Aviation Authority, the MET shall not be lighted;**
- w. **If necessary, the developer, prior to construction, shall submit a letter from the Federal Aviation Administration (FAA) stating that the MET does not exceed the maximum height permitted under FAA rules and does not require lighting;**
- x. **Any proposed change of use of the MET, increase in height or change of location shall require a hearing before the Stark County Planning and Zoning Board and approval as well as approval from the Stark County Commission; and**
- y. **Development of the MET shall be performed in accordance with all applicable County, State and Federal rules and regulations.**
- z. **The applicant shall report to the Zoning Administrator if the tower is no longer in use. The tower shall be removed, at the applicant's expense, within six (6) months of this notice and the site shall be restored by the applicant to its pre-existing condition.**

Chairman Hoff opened the public hearing on a request from Sunflower Wind Project. The request is for a Conditional Use Permit for a 262 foot lattice meteorological radio tower to provide data transmission for wind energy facilities communications on a parcel located on the SW ¼ of Section 26, Township 139, Range 91 containing approximately 160 acres.

Chairman Hoff asked for anyone to speak for or against the conditional use permit. Chairman Hoff closed the public hearing.

Sue Larsen moved to recommend to the Stark County Board of Commissioners the approval of the Conditional Use Permit for a 262 foot lattice meteorological radio tower to provide data transmission for wind energy facilities communications on a parcel located on the SW ¼ of Section 26, Township 139, Range 91 containing approximately 160 acres following staff recommendations for Sunflower Wind Project.

STAFF RECOMMENDATION: Approval of the proposed conditional use based upon the following findings:

- 1. The location of the proposed project should not adversely impact the existing uses in the vicinity; and**
- 2. The conditional use shall be limited through the inclusion of the following conditions:**
 - a. Development shall be limited to a lattice meteorological tower to support a wind energy facility**

- b. The maximum height of the meteorological tower shall be limited to 262 feet;**
- c. The location of the tower shall be as generally shown on the drawing received as part of the application dated November 2, 2015;**
- d. The developer shall be responsible for all maintenance associated with the tower;**
- e. The developer shall provide a six-foot chain link fence around the perimeter of the pad;**
- e. Prior to construction, the developer shall submit a letter from the Federal Aviation Administration (FAA) stating that the tower does not exceed the maximum height permitted under FAA rules;**
- f. Any proposed change of use of the tower, increase in height or change of location shall require a hearing before the Stark County Planning and Zoning Board and approval as well as approval from the Stark County Commission; and**
- g. Development of the meteorological tower shall be performed in accordance with all applicable County, State and Federal rules and regulations.**

Kurt Froelich seconded. Roll call vote. All voted Aye and the motion carried.

Kurt Froelich moved to adjourn, Duane Grundhauser seconded.